

Remarks

Claims 25-32 were pending. Claims 25 and 26 have been amended. No claims have been added or cancelled. Thus claims 25-32 are subject to continued examination.

Obviousness Rejections

Claims 25-32 stand rejected under 35 U.S.C. §103(a) as being obvious over Stein et al. (US 6,287,407 B1) in view of Brooks et al. (US 3,683,921). Continued rejection on these grounds is respectfully traversed and reconsideration is requested.

In order to establish a *prima facie* case of obviousness there must be some suggestion or motivation that would lead to the claimed invention. The suggestion or motivation may derive from the references themselves or from the knowledge generally available to those of skill in the art. In addition, all the claim limitations must be taught or suggested by the prior art (MPEP § 2142). Applicants respectfully submit that these standards are not met with regard to the claims as now presented.

Amended claims 25 and 26 state that enhanced bonding is achieved between layers of nonwoven fiber material by the forced extension of fiber elements across the discrete layers of adhesive such that a first portion of the fiber elements in adjacent layers of the nonwoven fiber material are intermingled with one another and

with said adhesive and such that a second portion of the fiber elements in each of said adjacent layers projects in extended relation into but not across a layer of adhesive between the adjacent layers. These claim features are illustrated in FIG. 1 of the application as filed wherein it is shown that some fiber elements extend across multiple layers while other fibers extend into but not across the adhesive.

The primary reference to Stein teaches the needling of two nonwoven fabrics such that when piercing through, the needles fill up completely with fibers of the base nonwoven fabric facing the needles and consequently, the textile material produced is characterized by unmixed, pure fibers in the pattern, in the background and on the reverse side (Col. 1, lines 46-52 and FIG. 1). Moreover, Stein appears to rely on localized patterned fiber extension rather than extension across substantially the entire interface between layers. Clearly, Stein does not satisfy the limitation that a second portion of the fiber elements in each of said adjacent layers projects in extended relation into but not across a layer of adhesive between said adjacent layers as stated in amended claims 25 and 26.

Applicants respectfully submit that the invention of Stein would likely be rendered unsuitable for its intended purpose if the limitations of the instant claims were satisfied. MPEP section 2143.01 indicates that even if references can be combined or modified in the manner proposed, a *prima facie* case of obviousness is not established unless prior art also suggests the desirability of the proposed modification. In *re Mills*, 916 F.2d 680 16 USPQ2d 1430 (Fed. Cir. 1990). In this

regard a prior art reference must be considered in its entirety, including portions that would lead away from the claimed invention. The MPEP further states that if the proposed combination or modification would change the principle of operation of the prior art invention being modified, or would render the prior art invention being modified unsatisfactory for its intended purpose, there is no suggestion or motivation to make the proposed modification.

In the present case the stated purpose of the invention disclosed in Stein is to produce a textile material having unmixed, pure fibers in the pattern, in the background and on the reverse side (Abstract). To this end, Stein teaches specifically that the pure fibers of the top layer facing the needles are pushed completely through the adjacent nonwoven layer such that the pure fibers from the top layer are visible on the reverse side in a sharp pattern. Clearly, if the pure fibers are not pushed through the adhesive and adjacent nonwoven layer, then this sharp pattern on the reverse side cannot be achieved. Likewise, if the extension is carried out over substantially the entire interface, then a desired pattern is not achieved.

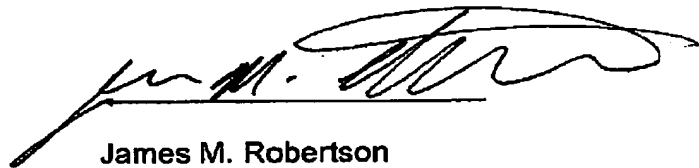
Conclusion:

For the reasons set forth above, it is respectfully submitted that all claims now stand in condition for allowance. Should any issues remain after consideration of this Amendment and accompanying Remarks, the Examiner is

invited and encouraged to telephone the undersigned in the hope that any such issue may be promptly and satisfactorily resolved.

In the event that there are additional fees associated with the submission of these papers (including extension of time fees), authorization is hereby provided to withdraw such fees from Deposit Account No. 50-1424.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. M. Robertson", written over a horizontal line.

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